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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,764	12/11/2003	William Kress Bodin	AUS920030835US1	1941

34533 7590 06/23/2010

INTERNATIONAL CORP (BLF)
c/o BIGGERS & OHANIAN, LLP
P.O. BOX 1469
AUSTIN, TX 78767-1469

EXAMINER	
PATEL, MANGLESH M	
ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
06/23/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

office@biggerslaw.com
jennifer@biggerslaw.com
michelle@biggerslaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/734,764	BODIN ET AL.	
	Examiner	Art Unit	
	MANGLESH M. PATEL	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Non-Final Action is in response to the RCE filed on 3/3/2010.

2. Claims 1-24 are currently pending in the case, with claims 1, 9, and 17 being the independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 9 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims include the term "optionally" such language renders the claim indefinite failing to distinctly claim the subject matter, therefore the limitation will not be considered in the claims.

Claims Rejections – 35 U.S.C. 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-7, 9-15, and 17-23 remain rejected under 35 U.S.C. 102(b) as being clearly anticipated by Raman (U.S. Patent 5,748,186), issued May 5, 1998 [hereinafter "Raman"].

Regarding **Independent claim 1**, Raman teaches:

A method for creating a presentation document, the method comprising:

creating, in dependence upon an original document, a structured document comprising one or more structural elements; and

(See, Raman, col. 2, lines 18-35. See also, Raman, col. 3, lines 6-11, teaching retrieving a document and converting the information to a "common intermediate representation" with a structure of the information.)

creating a presentation grammar for the structured document, wherein the presentation grammar for the structured document comprises a data structure that includes grammar elements each of which includes a presentation action identifier, a key phrase for invoking a presentation action a structural element identifier for at least one structural element of the structured document.

(See, Raman, col. 6, lines 29-31, teaching that control signals can include recognized speech, which inherently includes a grammar to be recognized. Further, see, Raman, claims 14 and 22, teaching interactivity of the system accomplished using only speech. **See column 4, lines 10-20 "In addition, the presentation can momentarily pause on the links so that the user can select the link using a voice input unit" thereby disclosing a presentation action identifier**

using voice input.)

Regarding **dependent claim 2**, Raman teaches:

> *The method of claim 1 wherein creating a structured document further comprises inserting in the structured document structural element identifiers for the structural elements.*

(See, Raman, Col. 5, lines 21-32, teaching changing structural element identifiers, rendering methods, to accommodate different renderings. The various changed identifiers amounting to differing styles for the structured document.)

Regarding **dependent claim 3**, Raman teaches:

> *The method of claim 1 wherein creating a structured document further comprises converting existing structural element identifiers from the original document to structural element identifiers for the structural elements of the structured document.*

(See, Raman, col. 2, lines 18-34, and col. 3, line 6 through col. 4, line 76, teaching receiving original documents, e.g.: rendered in HTML, which is a structured document language, and parsing the data to a structured hierarchical attributed tree. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for paragraph.)

Regarding **dependent claim 4**, Raman teaches:

> *The method of claim 1 wherein creating a presentation grammar for the structured document comprises:*

identifying the content type of the original document;

(It is noted that "identifying the content type of the original document" is disclosed as follows: "identifying the content type may be carried out by identifying the content type in dependence upon a filename extension. In other embodiments, identifying the content type is carried out by identifying the content type in dependence upon document header elements." See, disclosure, page `3, lines 17-21.

See, Raman, col. 5, lines 47-56, teaching retrieval, recognition, and presentation of an HTML document, as an example of the invention. See also, Raman, col. 3, lines 6-8, teaching a "recognizer 130" coupled to the receiver 120, to convert information 11 into a common intermediate high-level logical data structure 200, the recognizer must inherently identify and know the content type of the original document in order to process it. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for paragraph.)

selecting, in dependence upon the content type, a full presentation grammar from among a multiplicity of full presentation grammars; and

(See, Raman, col. 3, lines 8-20, teaching, for example, presentation of aural information by a speech synthesizer, monitor, Braille and by animated cartoon. See also, Raman, col. 3, lines 30-34, teaching the use of a voice input speech recognizer to control the presenter of the content types.)

filtering the full presentation grammar into a presentation grammar for the structured document in dependence upon the structural elements of the structured document.

(It is noted that filtering the full presentation grammar includes writing from the full presentation grammar to the presentation grammar for the structured document each grammar element having a structural element identifier of a structural element that occurs in the structured document. Applicants' disclosure, page 3 lines 23-26.

See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation grammar" to control the modality being used to control the presentation. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5, lines 38-46, teaching "navigational methods associated with objects allow the user to browse through the text by taking into consideration the underlying structure of the document." And see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation using a plurality of user communication modalities according to the hierarchical attribute trees." And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **dependent claim 5**, Raman teaches:

The method of claim 4 wherein identifying the content type comprises identifying the content type in dependence upon a filename extension.

(See, Raman, col. 3, lines 41-44, teaching recognizing file type by extension, i.e.: "html." See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by tags, such as <html>. See also, Raman, figure 3, element 330 identifying <title> and element

361 identifying <p> for paragraph.)

Regarding **dependent claim 6**, Raman teaches:

> *The method of claim 4 wherein identifying the content type comprises identifying the content type in dependence upon document header elements.*

(See, Raman, col. 4, lines 38-49, teaching receiving a source document by characters encoded as text as well as marks placed in the text to define the structure, and the "recognizer" to parse the character stream into fundamental source elements, for example, title, sections, sub-sections, paragraphs, sentences, links, forms and so forth. See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by text element tags, such as <head>, <title>, <body> and <p>.)

Regarding **dependent claim 7**, Raman teaches:

> *The method of claim 4 wherein filtering the full presentation grammar comprises writing from the full presentation grammar to the presentation grammar for the structured document each grammar element having a structural element identifier of a structural element that occurs in the structured document.*

(See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation grammar" to control the modality being used to control the presentation. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5, lines 38-46,

teaching "navigational methods associated with objects allow the user to browse through the text by taking into consideration the underlying structure of the document." And see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation using a plurality of user communication modalities according to the hierarchical attribute trees." And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **claims 9-15**, claims 9-15 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

Regarding **claims 17-23**, claims 17-23 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Claims Rejection – 35 U.S.C. 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

> matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 8, 16 and 24 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Raman as applied to claim 1 above, and further in view of Josephson, (U.S. Patent Publication 2003/0023435 A1), published January 30, 2003 [hereinafter "Josephson"].

Regarding **dependent claim 8**, Raman in view of Josephson teaches:

> *The method of claim 4 wherein the full grammar comprises a multiplicity of grammar elements for the content type, wherein each grammar element includes:*
>
> *an identifier of a structural element;*
>
> *a key phrase for invoking a presentation action; and*
>
> *a presentation action identifier representing a presentation action.*

(The key phrase function is inherent in Raman, but not expressly taught. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar and for each grammar that there be an identifier of the object to be acted upon, a signal for the action, and a presentation of the action signaled. In corporation of the grammar elements in a central file or in a separate file for each media type is a design decision between art recognized equivalents, namely placing

controls in one or several files. In general, Raman teaches the creation of a structured document for user interaction based on attributes and classification, but it does not expressly teach a key phrase.

Josephson expressly teaches the use of a key phrase for invoking a presentation action. See, Josephson, paragraphs [0191]-[0259].

It would have been obvious to one of ordinary skill in the art at he time of the invention to combine the teachings of Raman and Josephson to result in a user interactive control of a structured document using a list of attributes, classifications (tags), and associated scope.

Both Raman and Josephson are related to the art of user interactions with computers to control document production, including via voice recognition commands, and both use tag, or classification, structured documents.

The suggestion or motivation for combining the references is found in Josephson, discussing the invention as an improvement to "voice-mousing" and control of "select next" type commands, which is one type of navigational control discussed in Raman. See, Josephson, paragraphs [0008]-[0010], and see, Raman, col. 7, lines 5-50.)

Regarding **claims 16 and 24**, claims 16 and 24, incorporate substantially similar subject matter as claimed in claim 8, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any

way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

9. Applicants' arguments filed 3/3/2010 have been fully considered but are not persuasive.

Applicants argues: Raman does not disclose or suggest a single data structure that includes grammar elements each of which includes a presentation action identifier, a key phrase for invoking a presentation action, a structural element identifier for at least one structural element of the structured document. (see pg 9, paragraph 1)

However the Examiner Respectfully disagrees: **See column 4, lines 10-20 "In addition, the presentation can momentarily pause on the links so that the user can select the link using a voice input unit" thereby disclosing a presentation action identifier using voice input.**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Stephen S. Hong/

Supervisory Patent Examiner, Art Unit 2178

/Manglesh Patel/
AU 2178
June 19, 2010